



MINUTES OF DECEMBER 6, 2022

REGULAR MEETING OF THE COVINA CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY/COVINA PUBLIC FINANCING AUTHORITY/COVINA HOUSING AUTHORITY HELD IN THE COUNCIL CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET, COVINA, CALIFORNIA AND VIRTUALLY VIA ZOOM

This meeting was conducted in accordance with Assembly Bill 361, regarding the COVID-19 pandemic.

CALL TO ORDER/ROLL CALL

Mayor Cortez called the Council/Agency/Authority meeting to order at 6:33 p.m. with all Councilmembers present, except for Councilmember Linares.

PUBLIC COMMENTS – None.

CLOSED SESSION

Mayor Cortez recessed the Council to Closed Session at 6:34 p.m. for the following:

- A. Government Code § 54956.9(d)(1) – CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**
Name of case: Madeline Gonzales v. City of Covina, et al; Case No.: 19STCV06167.

RECONVENE AND CALL TO ORDER

Mayor Cortez called the Council/Agency/Authority meeting to order at 7:33 p.m. with all Councilmembers present.

ROLL CALL

Councilmembers Present: Hector Delgado, John C. King, Victor Linares, Mayor Pro Tem/Vice-Chair Walter Allen, III, and Mayor/Chair Patricia Cortez.

Councilmembers Absent: None.

Elected Members Present: City Clerk Drew Aleman, City Treasurer Neil Polzin.

Staff Members Present: City Manager Chris Marcarello, Assistant City Attorney Serita Young, Police Chief David Povero, Administrative Services Director Anita Agramonte, Community Development Director Brian Lee, Public Works Director Andy Bullington, and Deputy City Manager Angel Carrillo.

PLEDGE OF ALLEGIANCE

Led by Councilmember Linares

INVOCATION

Given by Covina Police Chaplain Chuck Cannizzaro

CLOSED SESSION REPORT

Assistant City Attorney Young announced that no reportable action was taken.

PUBLIC COMMENTS

Diana Mullins commented regarding the suggestion made at the last City Council meeting pertaining to a bidding process for vehicle purchases.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council thanked staff, volunteers, sponsors, and the Christmas Parade Committee for putting together a wonderful Christmas parade and for all the successful holiday events this year.

CITY MANAGER COMMENTS

None.

CONSENT CALENDAR

Mayor Pro Tem Allen requested items CC 4 and CC 5 be pulled from the Consent Calendar for separate discussion.

City Manager Marcarello noted, in accordance to government code, Consent Calendar item CC 13 would amend benefits for the City Council regarding participation in the deferred compensation program in lieu of the City's Section 125 program and that salary for the Council will not be adjusted.

A motion was made by Councilmember King, seconded by Councilmember Linares, to approve Consent Calendar items CC 1 through CC 3, and CC 6 through CC 13 as presented.

Mayor Pro Tem Allen clarified that he intended to pull items CC 4 and CC 6.

An amended motion was made by Councilmember King, seconded by Councilmember Linares, to approve Consent Calendar items CC 1 through CC 3, CC 5, and CC 7 through CC 13 as presented.

Motion approved by roll call vote for Consent Calendar items CC 1 through CC 3, CC 5, and CC 7 through CC 13 as follows:

AYES: DELGADO, KING, LINARES, ALLEN, CORTEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

- CC 1. City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Housing Authority approved the minutes of the November 15, 2022, Regular Meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Housing Authority.
- CC 2. City Council/Successor Agency to the Covina Redevelopment Agency approved the Payment of Demands in the amount of \$3,612,518.63
- CC 3. City Council received and filed the City of Covina Investment Report for Month ended October 31, 2022
- CC 5. City Council approved and made the following findings so that meetings of the City Council and the City's Other Legislative Bodies are authorized to meet remotely in accordance with AB 361's special Brown Act requirements for teleconference meetings as follows: (1) the City Council has reconsidered the circumstances of the COVID-19 state of emergency; and (2) the emergency directly impacts the ability of the members of the public to meet safely.
- CC 7. City Council:
1. Rejected all Bids received for the Workman Avenue Street Rehabilitation Project – Project No. P2307; and
 2. Authorized staff to re-advertise the project for bids.
- CC 8. City Council:
1. Approved plans and specifications for the Rowland Avenue Water Service Replacement Project-Project No. W2303;
 2. Awarded a contract for the Rowland Avenue Water Service Replacement Project to Stephen Doreck Equipment Rentals, Inc. as the lowest responsive bidder in an amount not-to-exceed \$569,250 and authorized the City Manager to execute the contract;
 3. Authorized a contingency amount of \$30,750 for any unforeseen construction expenses; and
 4. Adopted **Resolution CC 2022-129** appropriating \$100,000 from Water Fund balance for the completion of the Rowland Avenue Water Service Replacement Project – Project No. P2303.
- CC 9. City Council adopted **Resolution CC 2022-135** to amend the job description and salary range for Information Technology Services Manager within the Mid-Management, Supervisory and Professional, and Confidential and Technical Employees (Unaffiliated) Compensation Rules.
- CC 10. City Council authorized the City Manager to execute a Professional Services Agreement with Far East Landscape and Maintenance, Inc. for Landscape and General Outside Maintenance Services for City-Owned Sites, in an amount not-to-exceed \$743,523 for the three-year period of January 3, 2023, through December 31, 2025, with the option for two additional one-year terms.
- CC 11. City Council adopted **Resolution CC 2022-130** Casting its 5 Votes for Councilmember Hector Delgado to serve as Alternate Board Member to Represent Cities with Prescriptive Pumping Rights on the Board of the San Gabriel Basin Water Quality Authority; and directed staff to send the resolution to the San Gabriel Basin Water Quality Authority.

- CC 12. City Council adopted **Resolution CC 2022-128** to amend the fiscal year 2022-2023 budget to appropriate \$190,718.76 in general fund expenditures to pay for General Municipal Election Services provided by the Los Angeles County Registrar-Recorder/County Clerk for the June 7, 2022, election.
- CC 13. City Council adopted **Resolution CC 2022-132** to amend the Benefits Rules for City Councilmembers and allow participation in the City's 457(b) and 401(a) defined contribution plans, effective January 1, 2023.

CONSENT CALENDAR ITEMS PULLED FOR SEPARATE DISCUSSION

- CC 4. Reorganization of the City Clerk Department Authorizing the Addition of (1) Part-time Office Assistant I Position

Staff Recommendation:

Authorize the reorganization of the City Clerk's department to add (1) Part-time Office Assistant I position.

Discussion ensued regarding the reorganization of the City Clerk's department and in particular the large number of public records requests being received in comparison to other cities of comparable size.

Mayor Pro Tem Allen and Mayor Cortez commented further regarding the number of Public Records requests being received and requested information regarding staff resources required to respond as well as total cost related issues.

City Manager Marcarello and Deputy City Clerk Fabian Velez provided further information regarding staff resources being utilized to respond to these requests.

In response to an inquiry by Mayor Cortez regarding reimbursable costs, Assistant City Attorney Young stated that only direct duplication costs may be charged to requesters.

A motion was made by Mayor Pro Tem Allen, seconded by Councilmember Delgado, to approve Consent Calendar item CC 4 as presented.

Motion approved by roll call vote for Consent Calendar item CC 4 as follows:

AYES: DELGADO, KING, LINARES, ALLEN, CORTEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

- CC 6. Approval of a Second Amendment to Agreement between the City of Covina and Glendora Employment Agency, Inc.

Staff Recommendation:

Authorize the City Manager to execute the Second Amendment to the Professional Service Agreement with Glendora Employment Agency, Inc. to provide temporary staffing services.

In response to an inquiry by Mayor Pro Tem Allen, City Manager Marcarello informed Council that the agreement being proposed is with a temporary staffing agency as there has been some turn over but that the City continues to remain competitive in attracting applicants.

Mayor Pro Tem Allen suggested the City examine the possibilities of internships for students from local universities.

A motion was made by Mayor Pro Tem Allen, seconded by Councilmember King, to approve Consent Calendar item CC 6 as presented.

Motion approved by roll call vote for Consent Calendar item CC 6 as follows:

AYES: DELGADO, KING, LINARES, ALLEN, CORTEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

PUBLIC HEARINGS

PH 1. Consideration of Resolutions CC 2022-125, CC 2022-126, and CC 2022-127, Authorizing Annexation of Territory to City of Covina Community Facilities District No. 2007-1 (Public Services) (Annexation No. 32), and to Call and Hold a Special Election (155 E. Covina Boulevard, Covina)

Staff Recommendation:

1. City Council to open the public hearing and consider public testimony and close the public hearing; and
2. Adopt **Resolution CC 2022-125**, authorizing the annexation of territory to Community Facilities District No. 2007-1 (Annexation No. 32) and authorizing the levy of a special tax and submitting the levy of tax to the qualified electors; and
3. Adopt **Resolution CC 2022-126**, calling a special election and submitting to the voters of Annexation No. 32 of City of Covina Community Facilities District No. 2007-1 (Public Services), propositions regarding the annual levy of special taxes within Annexation No. 32 to finance public services, and the establishment of an appropriations limit; and
4. Adopt **Resolution CC 2022-127**, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2007-1 (Public Services), Annexation No. 32.

Mayor Cortez opened the public hearing.

The agenda report was provided by Senior Management Analyst Alana Spector.

There were no public comments, nor did anyone wish to submit a written protest.

Mayor Cortez closed the public hearing.

City Clerk Aleman confirmed that no written protest had been received and therefore, a majority did not exist.

Mayor Cortez had announced that because a majority protest did not exist, it was appropriate for the City Council to consider resolutions annexing the territory and calling a special election within the annexation area.

In response to an inquiry from Councilmember King, Assistant City Attorney Young clarified that City Clerk Aleman had mistakenly stated that the consent and waivers were not received and all landowners in the proposed annexation territory have submitted consent and waivers to hold the special election today.

A motion was made by Councilmember Delgado, seconded by Mayor Pro Tem Allen, to adopt **Resolution CC 2022-125**, authorizing the annexation of territory to Community Facilities District No. 2007-1 (Annexation No. 32) and authorizing the levy of a special tax and submitting the levy of tax to the qualified electors.

Motion approved by roll call vote for Resolution CC 2022-125 as follows:

AYES: DELGADO, KING, LINARES, ALLEN, CORTEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

A motion was made by Councilmember Delgado, seconded by Councilmember Linares, to adopt **Resolution CC 2022-126**, calling a special election and submitting to the voters of Annexation No. 32 of City of Covina Community Facilities District No. 2007-1 (Public Services), propositions regarding the annual levy of special taxes within Annexation No. 32 to finance public services, and the establishment of an appropriations limit.

Motion approved by roll call vote for Resolution CC 2022-126 as follows:

AYES: KING, LINARES, MARQUEZ, ALLEN, CORTEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

City Clerk Aleman confirmed that the ballots had been received and at the Mayor's request proceeded to canvass the ballots.

City Clerk Aleman completed the canvassing of the ballots and reported that:

- On Proposition A, one (1) vote was cast in support of the proposition and 0 votes were cast in opposition to the proposition; therefore, Proposition A was approved with 100% vote in favor.
- On Proposition B, one (1) vote was cast in support of the proposition and 0 votes were cast in opposition to the proposition; therefore, Proposition B was approved with 100% vote in favor.

A motion was made by Mayor Pro Tem Allen, seconded by Councilmember King, to adopt **Resolution CC 2022-127**, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2007-1 (Public Services), Annexation No. 32.

Motion approved by roll call vote for Resolution CC 2022-127 as follows:

AYES: KING, LINARES, MARQUEZ, ALLEN, CORTEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

PH 2. City Council consideration of the following resolutions:

Adopt Resolution CC 2022-133 adopting a Mitigated Negative Declaration (MND), and a Mitigation Monitoring and Reporting Program as required by the California Environmental Quality Action ("CEQA"), in connection with the approval of Development Agreement (DA) 22-001, Conditional Use Permit (CUP) 21-029 and Site Plan Review (SPR) 21-160, for the proposed Public Storage Facility;

Approve Ordinance 22-20, adopting Development Agreement (DA) 22-001, between Public Storage, Inc. related to the development of a public self-storage facility and other associated site improvements within the M-1 (Light Manufacturing) Zone located at 1330 E. Cypress Street;

Adopt Resolution CC 2022-134, approving Conditional Use Permit (CUP) 21-29 and Site Plan Review (SPR) 21-160, to allow the demolition of an existing 55,321 square-foot 2-story building and the development of a 141,984 square-foot 3-story public self-storage facility within a 2.70-acre site, and other associated site improvements, within the M-1 (Light Manufacturing) Zone, located at 1330 E. Cypress Street – APN – 8427-001-006.

Staff Recommendation:

1. City Council Adoption of **Resolution CC 2022-133**, adopting Mitigated Negative Declaration (SCH2022070107) as adequately prepared in accordance with the California Environmental Quality Act (CEQA) and adoption of the required findings under CEQA and the Mitigation Monitoring and Reporting Program;

2. Waive full reading, read by title only, and introduce for first reading **Ordinance 22-20** entitled,

An ordinance of the City of Covina, approving and adopting a development agreement between PS Southern California One, INC. (Public Storage) and the City of Covina, related to a proposed development consisting of a 141,984 square-foot 3-story Public Self Storage building within a 2.70-acre site, for the conveyance of a \$ 315,000 for citywide infrastructure improvements, for the property located at 1330 E. Cypress Street – APN – 8427-001-006.

3. City Council adoption of **Resolution CC 2022-134**, approving Conditional Use Permit (CUP) 21-29 and Site Plan Review (SPR) 21-160, to allow the demolition of

an existing 55,321 square-foot 2-story building and the development of a 141,984 square-foot 3-story public self-storage facility within a 2.70-acre site, and other associated site improvements, within the M-1 (Light Manufacturing) Zone, located at 1330 E. Cypress Street – APN – 8427-001-006.

Mayor Cortez opened the public hearing.

The agenda report was provided by Planning Manager Mercy Lugo with additional input from CEQA Consultants Brian Allee and Alan Sako.

In response to an inquiry from Mayor Pro Tem Allen, Planning Manager Lugo stated that mitigation measures are in place to reduce the effects of noise and dust for the neighboring community.

Public Storage representative Aaron Anderson provided a PowerPoint presentation.

Questions and discussion included facility height, cost of units, number of units, resident input, traffic impacts, security measures, and background checks of renters.

There were no public comments, therefore, Mayor Cortez closed the public hearing.

A motion was made by Mayor Pro Tem Allen, seconded by Councilmember King, to:

1. Adopt **Resolution CC 2022-133**, adopting Mitigated Negative Declaration (SCH2022070107) as adequately prepared in accordance with the California Environmental Quality Act (CEQA) and adoption of the required findings under CEQA and the Mitigation Monitoring and Reporting Program;
2. Waive full reading, read by title only, and introduce for first reading **Ordinance 22-20**, approving and adopting a development agreement between PS Southern California One, Inc. (Public Storage) and the City of Covina, related to a proposed development consisting of a 141,984 square-foot 3-story Public Self Storage building within a 2.70-acre site, for the conveyance of a \$ 315,000 for citywide infrastructure improvements, for the property located at 1330 E. Cypress Street – APN – 8427-001-006; and
3. Adopt **Resolution CC 2022-134**, approving Conditional Use Permit (CUP) 21-29 and Site Plan Review (SPR) 21-160, to allow the demolition of an existing 55,321 square-foot 2-story building and the development of a 141,984 square-foot 3-story public self-storage facility within a 2.70-acre site, and other associated site improvements, within the M-1 (Light Manufacturing) Zone, located at 1330 E. Cypress Street – APN – 8427-001-006.

Assistant City Attorney Young read the title of Ordinance 22-20 into record.

Motion approved by roll call vote for Public Hearing item PH 2 as follows:

AYES: DELGADO, KING, LINARES, ALLEN, CORTEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

PH 3. Public Hearing, Second Reading and Adoption of Ordinance 22-19 Adopting by Reference and Amending Codes comprising the 2022 California Building Standards

Code, including the 2022 Editions of the California Administrative, Building, Fire, Residential, Green Building Standards, Plumbing, Mechanical, Electrical, Energy, Existing Building, Historical Building, Referenced Standards Codes, and the 2021 International Property Maintenance Code, and Amending Title 14, Building and Construction, of the Covina Municipal Code.

Staff Recommendation:

1. Hold a Public Hearing to adopt Ordinance 22-19, adopting by reference and amending the Codes comprising the California Building Standards Code (California Code of Regulations, Title 24) including the 2022 Editions of the California Administrative, Building, Fire, Residential, Green Building Standards, Plumbing, Mechanical, Electrical, Energy, Existing Building, Historical Building, and Referenced Standards Codes, and the 2021 International Property Maintenance Code, together with certain additions, insertions, deletions and changes thereto
2. Waive full reading, read by title only, and adopt on second reading **Ordinance 22-19** entitled, "An Ordinance of the City Council of the City of Covina, California, making findings under CEQA, amending title 14 of the Covina Municipal Code and adopting by reference: codes comprising the 2022 edition of the California building standards code (California code of regulations, title 24, parts 1 - 12), including the California administrative code (2022 edition), the California Building Code Volumes 1 & 2 including Appendices B, D, F, I, J, N, O and P (2022 edition, incorporating and amending the 2021 International Building Code), the California Residential Code including Appendices AH, AK, AL, AO, AR, AS, AU, AV, AW, AX, and AZ (2022 Edition, incorporating and amending the 2021 international residential code), the California Green Building Standards Code (2022 Edition), the California Mechanical Code (2022 Edition, incorporating and amending the 2021 Uniform Mechanical Code), the California Plumbing Code (2022 Edition, incorporating and amending the 2021 Uniform Plumbing Code), the California Electrical Code (2022 Edition, incorporating and amending the 2020 National Electrical Code), the California Fire Code (2022 edition, incorporating and amending the 2021 International Fire Code), the California Existing Building Code (2022 Edition), the California Energy Code (2022 Edition), the California Historical Building Code (2022 Edition), and the California Referenced Standards Code (2022 Edition); and the 2021 International Property Maintenance Code, together with certain additions, insertions, deletions and changes thereto."

Mayor Cortez opened the public hearing.

City Manager Marcarello provided a brief background on the item and stated Community Development Director Lee and Deputy Director of Community Development & Building Official Robert Fisher were present to address any questions.

There were no public comments, therefore, Mayor Cortez closed the public hearing.

A motion was made by Councilmember King, seconded by Councilmember Delgado, to waive full reading and adopt **Ordinance 22-19** entitled, "An Ordinance of the City Council of the City of Covina, California, making findings under CEQA, amending title 14 of the Covina Municipal

Code and adopting by reference: codes comprising the 2022 edition of the California building standards code (California code of regulations, title 24, parts 1 - 12), including the California administrative code (2022 edition), the California Building Code Volumes 1 & 2 including Appendices B, D, F, I, J, N, O and P (2022 edition, incorporating and amending the 2021 International Building Code), the California Residential Code including Appendices AH, AK, AL, AO, AR, AS, AU, AV, AW, AX, and AZ (2022 Edition, incorporating and amending the 2021 international residential code), the California Green Building Standards Code (2022 Edition), the California Mechanical Code (2022 Edition, incorporating and amending the 2021 Uniform Mechanical Code), the California Plumbing Code (2022 Edition, incorporating and amending the 2021 Uniform Plumbing Code), the California Electrical Code (2022 Edition, incorporating and amending the 2020 National Electrical Code), the California Fire Code (2022 edition, incorporating and amending the 2021 International Fire Code), the California Existing Building Code (2022 Edition), the California Energy Code (2022 Edition), the California Historical Building Code (2022 Edition), and the California Referenced Standards Code (2022 Edition); and the 2021 International Property Maintenance Code, together with certain additions, insertions, deletions and changes thereto."

Motion approved by roll call vote for Public Hearing item PH 3 as follows:

AYES: DELGADO, KING, LINARES, ALLEN, CORTEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

NEW BUSINESS

- NB 1. Approval of Engineering and Traffic Survey, February 2022, for the City of Covina and Introduction of Ordinance 22-21 Amending Chapter 10.68 to Title 10 (Vehicles and Traffic) of the Covina Municipal Code Relating to Speed Limits

Staff Recommendation:

1. Adopt **Resolution CC 2022-131** approving the Engineering and Traffic Survey, February 2022, for the City of Covina (E&TS) and the prima facie speed limits recommended to be established on the highway segments included in the E&TS;
2. Waive full reading, read by title only, and introduce for first reading **Ordinance 22-21** amending Chapter 10.68 to Title 10 (Vehicles and Traffic) of the Covina Municipal Code relating to speed limits; and
3. Authorize the Department of Public Works to schedule the second reading of Ordinance 22-21 at the next available City Council meeting on December 20, 2022.

The agenda report was provided by City Engineer Rafael Fajardo.

In response to a question by Mayor Pro Tem Allen, City Engineer Fajardo informed that the speeds are set according to an engineering study.

There were no public comments.

A motion was made by Mayor Pro Tem Allen, seconded by Councilmember Delgado, to:

1. Adopt **Resolution CC 2022-131** approving the Engineering and Traffic Survey, February 2022, for the City of Covina (E&TS) and the prima facie speed limits recommended to be established on the highway segments included in the E&TS;
2. Waive full reading, read by title only, and introduce for first reading **Ordinance 22-21** amending Chapter 10.68 to Title 10 (Vehicles and Traffic) of the Covina Municipal Code relating to speed limits; and
3. Authorize the Department of Public Works to schedule the second reading of Ordinance 22-21 at the next available City Council meeting on December 20, 2022.

Assistant City Attorney Young read the title of Ordinance 22-21 into record.

Motion approved by roll call vote for New Business item NB 1 as follows:

AYES: DELGADO, KING, LINARES, ALLEN, CORTEZ

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

ADJOURNMENT

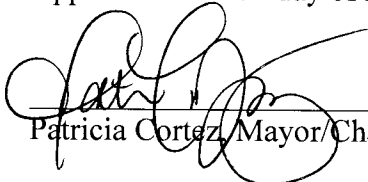
At 8:44 p.m., the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority adjourned to its next regular meeting of the Council/Agency/Authority scheduled for Tuesday, December 20, 2022, at 6:30 p.m., for closed session and 7:30 p.m., for open session in the Council Chamber located inside of City Hall, 125 East College Street, Covina, California, 91723.

Respectfully Submitted:



Fabian Velez, Deputy City Clerk

Approved this 20th day of December, 2022:



Patricia Cortez, Mayor/Chair